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TO: Commissioner for Patents  
Attn: Examiner Romain Jeanty  
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Alexandria, VA 22313-1450

FROM: George H. Gates  
OUR REF.: G&C 30566.221-US-U1  
TELEPHONE: (310) 642-4146

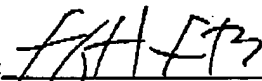
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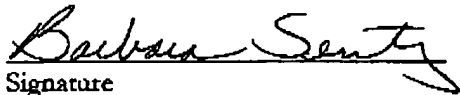
Title of Document Transmitted:	TRANSMITTAL SHEETS AND RESPONSE TO RESTRICTION REQUIREMENT.
Applicant:	Larry Allen Wares
Serial No.:	09/771,142
Filed:	January 26, 2001
Group Art Unit:	3623
Title:	E-COMMERCE BID AND PROJECT MANAGEMENT SYSTEM AND METHOD FOR THE CONSTRUCTION INDUSTRY
Our Ref. No.:	G&C 30566.221-US-U1

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP.

By: 

Name: George H. Gates  
Reg. No.: 33,500

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September 2, 2005  
Date

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SEP 02 2005

Due Date: September 5, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Larry Allen Wares	Examiner:	Romain Jeanty
Serial No.:	09/771,142	Group Art Unit:	3623
Filed:	January 26, 2001	Docket:	G&C 30566.221-US-U1
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## CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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By:   
Name: George H. Gates

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

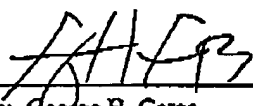
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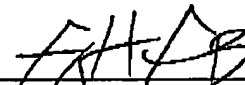
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RESPONSE TO RESTRICTION REQUIREMENT

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Dear Sir:

The Office Action dated August 5, 2005 required restriction of the claims into three claim Groups. In response, Applicant's attorney elects Group III, namely claims 3-8, 13, 15-16, 21-28, 31-34.

However, Applicant's attorney does so with traverse.

Applicant's attorney disputes the assertion by the Office that the three claim Groups involve separate and distinct inventions. Instead, Applicant's attorney asserts that the proposed classifications are incorrect:

- Class 705, subclass 5 - Reservation, check-in, or booking display for reserved space.
- Class 705, subclass 38 - Credit (risk) processing or loan processing (e.g., mortgage).
- Class 705, subclass 37 - Trading, matching, or bidding.

Applicant's attorney respectfully submits that all the claims are more properly classified under Class 705, subclass 37. Since the claims all belong to the same class and subclass,

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Applicant's attorney asserts that a search into prior art with regard to the invention of the different Groups is so related that separate significant search efforts should not be necessary. Accordingly, there is no serious burden on the Examiner to collectively examine the different claim Groups of the subject application. Therefore, restriction is not proper under M.P.E.P. §803.

Applicant's attorney further urges the Examiner take into consideration that the subject matter of each of the claim Groups is linked by a common inventive concept.


Consequently, Applicant's attorney respectfully requests the Examiner reconsider and withdraw the restriction requirement. It is also submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's attorney.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant

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